

Misbranding, Section 403 (a), the name "Vita Orange" and certain statements on the circulars were false and misleading since they represented and suggested that the article was nutritionally better than orange juice; that it was a better source of vitamins than orange juice; that it would be effective to promote health and healthy bones, teeth, and gums; and that it would be effective in the treatment of colds and prevention of infections. The article was not nutritionally better than orange juice; it was not a better source of vitamins than orange juice; and it would not be effective for the purposes represented.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 2785.

DISPOSITION: February 2, 1949. Default decree of condemnation. The court ordered that the circulars be destroyed and the product be delivered to a charitable institution.

14903. Misbranding of Bevco Stabilizer. U. S. v. 3 Bottles * * *. (F. D. C. No. 26278. Sample No. 42413-K.)

LABEL FILED: January 17, 1949, Southern District of Illinois.

ALLEGED SHIPMENT: On or about September 24, 1948, by the Chandler Laboratories, from Philadelphia, Pa.

PRODUCT: 3 1-gallon bottles of Bevco Stabilizer at Normal, Ill. Analysis showed that the product was an aqueous solution of a quaternary ammonium salt, with a concentration of $\frac{1}{2}$ gram per 100 cc.

LABEL, IN PART: "Bevco Stabilizer * * * Directions: Use $\frac{1}{2}$ ounce to each gallon of prepared syrup or to 6 gallons of finished product. * * * contains less than 2 $\frac{1}{2}$ % pure quaternary ammonium chloride. * * * is not a finished food product and is for manufacturing use only."

NATURE OF CHARGE: Misbranding, Section 403 (a), the labeling of the article was misleading since the trade name "Bevco" appearing thereon, coupled with the directions for use, represented to purchasers that the article was wholesome and suitable for use as a component for beverages for man, whereas the article contained a quaternary ammonium compound which was a poisonous and deleterious substance; and the labeling failed to reveal the fact, material in the light of the representations made therein, that the article contained a poisonous and deleterious substance.

DISPOSITION: March 4, 1949. Default decree of condemnation and destruction.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

14904. Adulteration of cake. U. S. v. Carson Cake Co., Abe Caris, and Philip Caris. Pleas of guilty. Defendants each fined \$100. (F. D. C. No. 24817. Sample Nos. 10495-K to 10497-K, incl.)

INFORMATION FILED: July 14, 1948, District of New Jersey, against the Carson Cake Co., a partnership, Newark, N. J., and Abe Caris and Philip Caris, partners.

ALLEGED SHIPMENT: On or about March 25, 1948, from the State of New Jersey into the State of New York.

LABEL, IN PART: "Hits The Spot Carson's."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: July 11, 1949. Pleas of guilty having been entered, each defendant was fined \$100.

14905. Adulteration of bread, cookies, and coffee cake. U. S. v. Frantz Home Bakers, Inc. Plea of guilty. Fine of \$375, plus costs. (F. D. C. No. 24776. Sample Nos. 6635-K, 6638-K, 6647-K.)

INFORMATION FILED: May 27, 1948, Northern District of Ohio, against Frantz Home Bakers, Inc., East Liverpool, Ohio.

ALLEGED SHIPMENT: On or about January 30, 1948, from the State of Ohio into the States of West Virginia and Pennsylvania.

LABEL, IN PART: "Enriched Frantz Honey Loaf," "Frantz Quality Baked Goods," and "Frantz Quality Baked Goods Coffee Cake."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of insect fragments and rodent hair fragments; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: June 18, 1948. A plea of guilty having been entered, the court imposed a fine of \$375, together with costs.

FLOUR

Nos. 14906 to 14912 report actions involving flour that was insect- or rodent-infested, or both. (In those cases in which the time of contamination was known, that fact is stated in the notice of judgment.) The flour reported in No. 14912 failed also to meet the standard for enriched flour.

14906. Adulteration of flour and corn meal. U. S. v. Bluff City Mills. Plea of nolo contendere. Fine, \$200. (F. D. C. No. 26761. Sample Nos. 19566-K, 19567-K, 51101-K, 51102-K.)

INFORMATION FILED: April 13, 1949, Eastern District of Tennessee, against the Bluff City Mills, a partnership, Bluff City, Tenn.

ALLEGED SHIPMENT: On or about September 17 and 20 and December 15, 1948, from the State of Tennessee into the State of Virginia.

LABEL, IN PART: (Bag) "White Rose Fancy Patent Flour [or "Bolted Meal" or "Self-Rising Flour"]."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of mites, larvae, larval parts, insect fragments, rodent hairs, rodent hair fragments, and rodent excreta fragments; and, Section 402 (a) (4), they had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: June 16, 1949. A plea of nolo contendere having been entered, the court imposed a fine of \$200.